



Federal Communications Commission  
Washington, D.C. 20554

April 6, 2009

DA 09-776

Mr. Gary M. Withington  
110 South Cypress Street, Apt. 207  
Florence, AL 35630

Re: Call Sign KB4JVM

Dear Mr. Withington:

This letter addresses your letters dated May 4, 2008, May 5, 2008, and June 1, 2008 seeking reinstatement of your license for Amateur Radio Service Station KB4JVM. For the reasons stated below, we grant your request and will reinstate the license.

By way of background, your license for Station KB4JVM was renewed on March 29, 2003, with an expiration date of June 8, 2013.<sup>1</sup> On September 17, 2007, however, you filed an application to cancel the license.<sup>2</sup> The application was granted, and the license cancelled, on September 20, 2007. Subsequently, you informed the Commission that the cancellation application was a mistake caused by your disability, and you did not intend to cancel the license.

You request that the license be reinstated. Commission licenses have been reinstated for licensees who demonstrated that their applications seeking cancellation were erroneous.<sup>3</sup> We similarly conclude, based on the current record, that you did not intend to cancel your license for Station KB4JVM. Consequently, we will reinstate the license.

Accordingly, the requests for reinstatement submitted by Gary M. Withington, dated May 4, May 5, and June 1, 2008, are GRANTED, and the license for Station KB4JVM will be reissued.

This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Scot Stone  
Deputy Chief, Mobility Division  
Wireless Telecommunications Bureau

---

<sup>1</sup> See FCC File No. 0001254048 (filed Mar. 21, 2003).

<sup>2</sup> See FCC File No. 0003176312 (filed Sept. 17, 2007).

<sup>3</sup> See Onondaga County Department of Emergency Communications, *Order*, 17 FCC Rcd 6350, 6352-53 ¶ 7 (WTB PSPWD 2002) (reinstating licenses that the licensee cancelled in the mistaken belief that the microwave paths were covered by other licenses); Comcast 38 GHz, Inc., *Order*, 16 FCC Rcd 10862, 10865 ¶ 9 (WTB PSPWD 2001) (similar); Medina Electric Cooperative, Inc., *Order on Reconsideration*, 14 FCC Rcd 7843, 17844 ¶ 3 (WTB PSPWD 1999) (similar).